

REMARKS

The outstanding Official Action has been reviewed. No amendment to the application appears to be needed.

The rejection of all claims in this application based upon the published Katsikas U.S. patent application No. 2003/0191969A1 (the '969 publication) under 35 U.S.C. § 102(e) is respectfully traversed. The '969 publication is a continuation-in-part application. It is entitled to the February 8, 2000 filing date of the provisional application No. 60/180,937 (the '937 provisional) only for subject matter that it has in common with the '937 provisional and the intervening parent U.S. application No. 09/648,894 filed August 25, 2000 (the '894 parent application). The '894 parent relates to the same subject matter as the '937 provisional. The subject matter from the '969 publication relied upon in the rejection under 35 U.S.C. § 103(e) was all introduced upon the March 31, 2003 filing of that C.I.P. application. In that respect the relied upon '969 publication is not prior art as to this application which has a priority date earlier than March 31, 2003. The effective filing date of this application is August 30, 2002, which is the filing date of the international (PCT) application serial No. PCT/US02/27956, of which this application is the U.S. National Stage and from which priority is claimed. Without admitting that the relied-upon Katsikas '969 publication reads on the rejected claims, it is respectfully urged that the content of the publication relied upon in rejecting the claims in this application is not available as prior art. Withdrawal of the rejection and allowance of claims 1 - 26 is respectfully requested. For the examiner's convenience, a copy of the '937 provisional and '894 parent application are enclosed.

The outstanding Official Action, in rejecting claims 1, 2, 6 and 11, at page 3, third full paragraph, cites Figs. 2, 10 and 11 and paragraph 0092 of the '969 publication for the presence of a customer's proxy email address. Fig. 2 of the '969 publication does not correspond to Fig. 2 of the parent '894 application or to any figure in the '937 provisional. In Fig. 2 of the relied upon '969 publication, the block 20 labeled "SkProxy Processor" is not in either of the preceding applications. The relied upon Figs. 10 and 11 and paragraph 0092 of the '969 C.I.P. application were newly presented in the March 31, 2003 C.I.P. filing. Note that in the material of the '969 publication that is common to the '894 parent and/or the '937 provisional nothing serves as a proxy for the ultimate addressee and nothing acts as an email proxy address. In this respect,

then, the rejection of claims 1, 2, 6 and 11 is in error and should be withdrawn. All other claims are dependent from one of claims 1, 6 or 11 and should be allowed.

Likewise, in the rejection of claims 3 - 5, the paragraph bridging pages 3 and 4 of the outstanding Official Action cites Figs. 1, 2, 10 and 11 and paragraphs 0043 - 0045, 0092 - 0094 and 0100 of the '969 C.I.P. for recording a proxy email address. Fig. 1 and paragraph 0045 do not mention or illustrate a proxy email address or installation and reference to the skproxy in paragraph 0044 is new with the filing of the C.I.P. application. Paragraph 0045 does not relate to a proxy email address. Relied upon Figs. 2, 10 and 11 are modified or newly added in the C.I.P. filing as described above and are not available as prior art.

At page 4, in rejecting claims 7 - 10 and 13 - 14, the outstanding Official Action states, "As per claims 7 - 10, 13 - 14, Katsikas discusses filtering email as customer's choice, blocking email addressed to the proxy (see par 0026, 0028 - 0029 and 0111.)". Certainly, nothing in those portions of the '969 publication that predate applicants' effective filing date contains such a discussion, since there is no email addressed to a proxy there.

Finally, concerning the rejection of claims 12 and 15 - 26, expressed at paragraph 2, page 4 of the outstanding Official Action, irrespective of whether the Katsikas '969 publication contains the teachings stated, the claims are dependent and patentable by their incorporation of the content of parent claims not present in the '969 publication teachings entitled to the filing date of the '937 provisional or the '894 parent application. It is noted however that nothing entitled to those earlier filing dates teaches "saving proxy address into "Whois data" as said to be taught by the relied upon Katsikas '969 publication.

In view of the above, it is requested that the outstanding rejection in this application be withdrawn and this application passed to issue.

A two month extension of time in which to respond to the outstanding Official Action is requested in the accompanying Request for Extension and a check for the \$460.00 extension fee is enclosed. Authorization is given to charge any additional fees associated with this communication to Deposit Account No. 070135. A duplicate copy of this sheet is enclosed.

Should the examiner have questions, comments or suggestions regarding this application, the examiner is invited to please contact the undersigned at the telephone number or email address listed below.

Respectfully submitted,

GALLAGHER & KENNEDY, P.A.

A handwritten signature in black ink, appearing to read 'T D MacBlain', written in a cursive style.

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